

**WOMBLE
CARLYLE
SANDRIDGE
& RICE**

A PROFESSIONAL LIMITED
LIABILITY COMPANY

One Atlantic Center
1201 West Peachtree Street, N.E.
Suite 3500
Atlanta, GA 30309

Telephone: (404) 872-7000
Fax: (404) 888-7490

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TO	Examiner Brian R. Gordon	Monday, April 12, 2004 3:09:52 PM
	<small>Name</small>	<small>Date</small>
	USPTO, Art Unit 1743	1 (703) 872-9306
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:)	Examiner: Brian R. Gordon
Vessey)	Group Art Unit: 1743
Serial No: 09/955,409)	Attorney Docket No.: T081 1010
Filed: September 12, 2001)	
For: System and Method for Liquid)	
Handling Parameters)	
Optimization)	

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Action mailed March 10, 2004, Applicants provide the following:

The Examiner has determined that the claims in the present application are drawn to two distinct inventions and has requested restriction to one of the inventions as follows:

- I. Claims 1 -- 13 and 20 -- 32, drawn to a computer readable medium containing a program product for optimizing liquid-handling parameters, classified in class 436, subclass 55; and
- II. Claims 14 -- 19, drawn to a system for optimizing parameters for liquid handling, classified in class 422, subclass 67.

In response to the restriction requirement, Applicants hereby elect the invention of Group I with traverse. Applicants request reconsideration and withdrawal of the restriction requirement

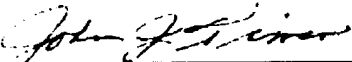
on the grounds that the restricted claims are closely related and should be considered in the same application.

The Examiner stated, in paragraph 2 of the Detailed Action, that the apparatus claimed in claims 14-19 "may be used to practice another process such as simply delivering chemicals to a location for a specific purpose such as analysis, mixing, or to conduct reactions or develop products." As recited in the last element of claim 14, the system includes "a liquid-handling parameters optimization processing logic ... cooperative with the pipetting control processing logic that automatically optimizes liquid-handling parameters." The term "liquid class" is defined in the application as "parameters for pipetting control software to define pipetting of a specific liquid" (page 5, para. [0016]). Further, as disclosed on page 11, at para. [0036], [0037], [0038], each type of liquid requires a corresponding liquid class; the pipetting control software comes with a default set of classes; each liquid class has more than thirty parameters that can be altered; the liquid class factors can be optimized to perfect the accuracy of the pipetting; and the first step in the inventive process of creating and/or optimizing a liquid class is the determination of which liquid class parameters are important to pipetting precision for the liquid under study. Therefore, there is a close relation between the method/program product claims and the system claims that optimize liquid-handling parameters for a liquid class.

In view of the above, Applicants respectfully request that the Examiner withdraw his restriction requirement for the pending claims.

Respectfully submitted,

4/12/04
Date


John J. Timar
Registration No. 32,497

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
P. O. Box 7037
Atlanta, Georgia 30357-0037
(404) 888-7412 (Telephone)
(404) 870-2405 (Facsimile)

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